

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Seanah Dixon and Toney A. White,
Plaintiffs,
v.
Jessica Perkins Jefferson, et al.,
Defendants.

Case No.: 2:24-cv-01376-GMN-MDC

**ORDER EXTENDING DEADLINE FOR
THIRD AMENDED COMPLAINT AND
DIRECTING HDSP LAW LIBRARIAN
TO ENSURE BOTH PLAINTIFFS ARE
RECEIVING COURT ORDERS**

9 Pending before the Court is the plaintiffs' "motion for urgent sua sponte complaint
10 review to prevent irreparable injury." (ECF No. 23.) This motion states that the plaintiffs are
11 "awaiting sua sponte review of the second amended complaint" they filed in August 2024, and it
12 requests expedited screening of that complaint. (*See id.* at 1, 3–4.) This motion presents two
13 matters for the Court to address.

14 First, with regard to the specific relief requested in the motion, that request is denied as
15 moot because **the Court has already screened the second amended complaint**. Specifically,
16 on February 19, 2025, the Court issued an order screening the second amended complaint,
17 dismissing it without prejudice, and ordering the plaintiffs to file a third amended complaint by
18 March 21, 2025. (ECF No. 19.) That deadline expired and the plaintiffs did not file a third
19 amended complaint. Instead, the plaintiffs filed an “addendum” to a motion that was denied
20 without prejudice in the Court’s screening order. (*See id.* at 8–10 (screening order); ECF No. 21
21 (addendum).) This “addendum” did not comply with the Court’s February 19, 2025, screening
22 order, but it reflected that the plaintiffs were still interested in pursuing this case and that they
23 both may not, in fact, have received the screening order. So, on April 3, 2025, the Court issued
24 an order extending the deadline to file a third amended complaint until April 21, 2025, and sent
25 the plaintiffs a courtesy copy of the February 19, 2025, screening order. (ECF No. 22.) Now, in
26 light of the pending motion, the Court again extends the deadline to file a third amended
27 complaint until May 21, 2025. If the plaintiffs do not file a third amended complaint by that date,
28 the Court may dismiss the plaintiffs’ case without prejudice.

1 Second, **the pending motion is written as though both plaintiffs did not receive the**
2 **Court's two prior orders.** However, the law librarian at High Desert State Prison ("HDSP") has
3 not returned a transmission receipt to the Court reflecting non-delivery of the two prior orders, so
4 there is no indication on the docket why the two prior orders may not have reached the plaintiffs.
5 To ensure that both plaintiffs are receiving Court orders in this case, **the Court will specifically**
6 **direct the HDSP law librarian to serve both Seanah Dixon and Toney A. White with a copy**
7 **of the docket sheet, this order, and the Court's two prior orders (ECF Nos. 19, 22).**

8 With respect to the plaintiffs, **IT IS ORDERED** that:

- 9 1. The plaintiffs' "motion for urgent sua sponte complaint review to prevent
10 irreparable injury" (ECF No. 23) is **DENIED as moot.**
- 11 2. The plaintiffs shall file a third amended complaint by **May 21, 2025.**
- 12 3. The plaintiffs' failure to file a third amended complaint by May 21, 2025, may
13 subject this case to dismissal without prejudice.

14 With respect to the Clerk of Court, **IT IS ORDERED** that:

- 15 1. The Clerk of Court shall send both Seanah Dixon and Toney A. White a copy of
16 1) the docket sheet for this case, 2) this order, 3) the February 19, 2025, screening
17 order (ECF No. 19), and 4) the April 3, 2025, order (ECF No. 22).

18 With respect to the HDSP law librarian, **IT IS ORDERED** that:

- 19 1. **The HDSP law librarian is directed to serve both Seanah Dixon and Toney**
20 **A. White with a copy of 1) the docket sheet for this case, 2) this order, 3) the**
21 **February 19, 2025, screening order (ECF No. 19), and 4) the April 3, 2025,**
22 **order (ECF No. 22).**

23 DATED: April 22, 2025

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26 Hon. Maximiliano D. Couvillier III
27 United States Magistrate Judge
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